

REMARKS

Reconsideration and withdrawal of the objections to this application are respectfully requested in view of these amendments and remarks.

Claims 17, 18, 23, 32, 33, 35, 42, 43, 45 to 53 remain pending in this application.

The Examiner is thanked for indicating that claims 17, 18, 23, 32, 33, 42, 43, and 45 to 53 are allowed.

Claim 35 was rejected under 37 C.F.R. 1.75 as being a substantial duplicate of claim 32. More specifically, the Office Action states that claims 35 and 32 are duplicate or are so closely related in content that they cover the same thing, despite a slight difference in wording.

Claims 32 and 35 are both directed to a transgenic microorganism or plant comprising cells of a microorganism or plant transformed with a vector of claim 48. In order to overcome the rejection under 37 C.F.R. § 1.75, claim 32 has been cancelled by this amendment. Thus, claim 35 remains pending in this application.

Accordingly, the rejection of claim 35 is rendered moot as the substantial duplicate claim 32 has been cancelled and no duplicate claims remain in this application. Reconsideration and withdrawal of the rejection under 37 C.F.R. § 1.75 is respectfully requested.

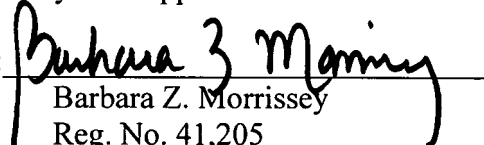
In view of these amendments and remarks, it is respectfully submitted that his application is now in condition for allowance. Prompt issuance of a Notice of Allowance with claims 17, 18, 23, 33, 35, 42, 43, and 45 to 53 is earnestly solicited.

If any minor issues remain as an impediment to allowance, the Examiner is respectfully requested to contact the undersigned by telephone.

A Notice of Appeal and the requisite fee are being filed along with this amendment. If any additional fees are required for entry and consideration of this amendment and Notice of Appeal, the Assistant Commissioner is authorized to charge any fee or credit any overpayment to Deposit Account 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:


Barbara Z. Morrissey
Reg. No. 41,205
(212) 588-0800